EPA Region I, New England

Superfund Program ◘ August, 1998

Proposed Plan

To Amend the 1990 Cleanup Plan for the New Bedford Harbor Hot Spot Sediments

New Bedford, MA

The Proposed Change...

After the careful study of cleanup alternatives for the Hot Spot sediments and working closely with the New Bedford Harbor Superfund Site Community Forum (Forum), EPA proposes the following change to the 1990 Cleanup Plan:

Remove the Hot Spot sediments from the Confined Disposal Facility (CDF), where they have been stored since 1995.

Remove water from the sediments and treat the water at the existing treatment facility. Discharge treated water to the harbor.

Transport sediment to a permitted off-site hazardous waste landfill in sealed containers.

More on page 4.

What are the proposed changes and their impacts on the local community?

Find out about the proposed changes to the 1990 Cleanup Plan and how they compare with other cleanup options for the site at the August 26 information session. At the information session, EPA will respond to your questions and concerns about the proposed changes and how they may affect you.

Information Session
August 26, 1998, 7:00 p.m.

Public Hearing
September 16, 1998, 7:00 p.m.

Both will be held at
Centro Luzo American Club
34 Beetle Street
New Bedford, Massachusetts
An informal poster board presentation will be available for viewing prior to each session at 6:00 p.m.

Formal Comment Period
August 27-September 25, 1998

For further information call EPA Community Involvement Coordinator, Angela Bonarrigo at (617) 565-2501.

What do you think?

EPA is accepting public comment on this proposal from August 27, 1998 through September 25, 1998. You don't have to be a technical expert to comment -- if you have a concern or preference, EPA wants to hear it before making a final decision on how to protect your community.

To comment formally:

Offer oral comments during the public hearing on September 16, 1998 (see page 11 for details).

Send written comments postmarked no later than September 25, 1998 to:

Mr. James Brown
Remedial Project Manager
U.S. Environmental Protection Agency (HBO)
Region I
JFK Federal Building
Boston, MA 02203

E-mail comments
by September 25, 1998 to:
Brown.Jim@epamail.epa.gov

In accordance with the Comprehensive Environmental Response, Compensation and Liability Act, (Section 117) the law that established the Superfund progr ocument summarizes EPA's cleanup proposal. For detailed information on the options evaluated for use at the site, see the New Bedford Harbor Hot Spot Fe udy Addendum available for review at the information repositories in New Bedford and at EPA's 90 Canal Street Office in Boston (see page 11).

SITE HISTORY

New Bedford Harbor is an urban tidal estuary located on Buzzards Bay in southeastern Massachusetts. The communities of New Bedford, Fairhaven, Acushnet, and Dartmouth border the Harbor and surrounding Site area. The New Bedford Harbor site has been divided into three Operable Units, or phases of cleanup: the Hot Spot Operable Unit (which this Proposed Plan addresses), the Upper and Lower Harbor Operable Unit and the Buzzards Bay Operable Unit.

1940s-late 1970s: Factories along the Acushnet River discharged industrial process wastes containing PCBs into the Harbor and the City sewerage system.

1976-1982: EPA conducted a New England-wide PCB survey, including New Bedford Harbor. EPA and the Commonwealth of Massachusetts identified widespread contamination of PCBs and heavy metals in the sediments and marine life throughout the Harbor and parts of Buzzards Bay.

1977: Massachusetts Department of Public Health issued a warning and subsequently, in 1979, established fishing closure areas in New Bedford Harbor and Buzzards Bay due to elevated levels of PCBs in edible fish and shellfish tissue.

1982: EPA added the New Bedford Harbor Site to the National Priorities List, making it eligible for federal Superfund cleanup funds, and began a comprehensive assessment of the nature and extent of PCB contamination in the Harbor.

1983: EPA issued a Remedial Action Master Plan which found widespread contamination of the Harbor and recommended further study. It also identified a Hot Spot portion consisting of about five acres in the upper Harbor which contained approximately 45% of the mass of PCBs in the Harbor.

1984: EPA issued a Feasibility Study of the upper Harbor which evaluated a series of remedial alternatives for addressing the contamination.

1989: Engineering Feasibility Study and Pilot Study completed. Initiated as a result of comments received on the 1984 Feasibility Study, this study evaluated the effectiveness of specific dredging and disposal alternatives through actual on-site pilot tests. During this year, EPA also issued a Proposed Plan for cleaning up the Hot Spot area of the Harbor.

April 1990: EPA issued a Record of Decision (ROD) for cleaning up the Hot Spot, consisting of dredging sediment exceeding 4,000 ppm PCBs, storing it in a confined disposal facility (CDF) then treating the sediment through on-site incineration.

August 1990: EPA issued a Feasibility Study and Risk Assessment for the entire Harbor. The human health risk assessment showed that the Harbor poses a potential risk to humans from ingestion of contaminated fish and shellfish and from direct contact with PCB-contaminated sediments. The ecological risk assessment concluded that PCB concentrations in sediment and sediment pore water were highly toxic to members of all major groups of marine life and that PCBs were highly suspected of damaging the Harbor's overall integrity as a functioning ecosystem.

1992: EPA issued a Proposed Plan and an Addendum for cleaning up the upper and lower Harbor and a small area of Buzzards Bay.

1993: The New Bedford Harbor Superfund Site Community Forum was created in an effort to resolve community concerns about Hot Spot sediment incineration (see page 5 for additional information). EPA agreed to implement Hot Spot dredging, suspend incineration and undertake treatability studies on potential alternative technologies.

1995: EPA issued an Explanation of Significant Differences (ESD) to the April 1990 Record of Decision for the Hot Spot. The ESD documented the need for longer-term storage of Hot Spot sediments in the CDF while EPA undertook the treatability studies. Dredging of the Hot Spot was completed.

1993-1996: In response to comments received on the 1992 Proposed Plan and Addendum, EPA worked with other federal and state agencies and the Community Forum to address concerns about the cleanup. EPA continued to pursue alternative treatment technologies for the Hot Spot sediments.

October 1996: EPA issued the first report of the Long-Term Monitoring project for the Harbor. This report reiterates the severely damaged nature of the Harbor ecosystem, especially the upper Harbor area north of Coggeshall Street.

December 1997: EPA issued a Hot Spot Feasibility Study Addendum Report which evaluated a range of treatment technologies for the Hot Spot sediments.

July 1998: The Community Forum signed a consensus agreement recommending off-site landfilling of the Hot Spot sediment to EPA.

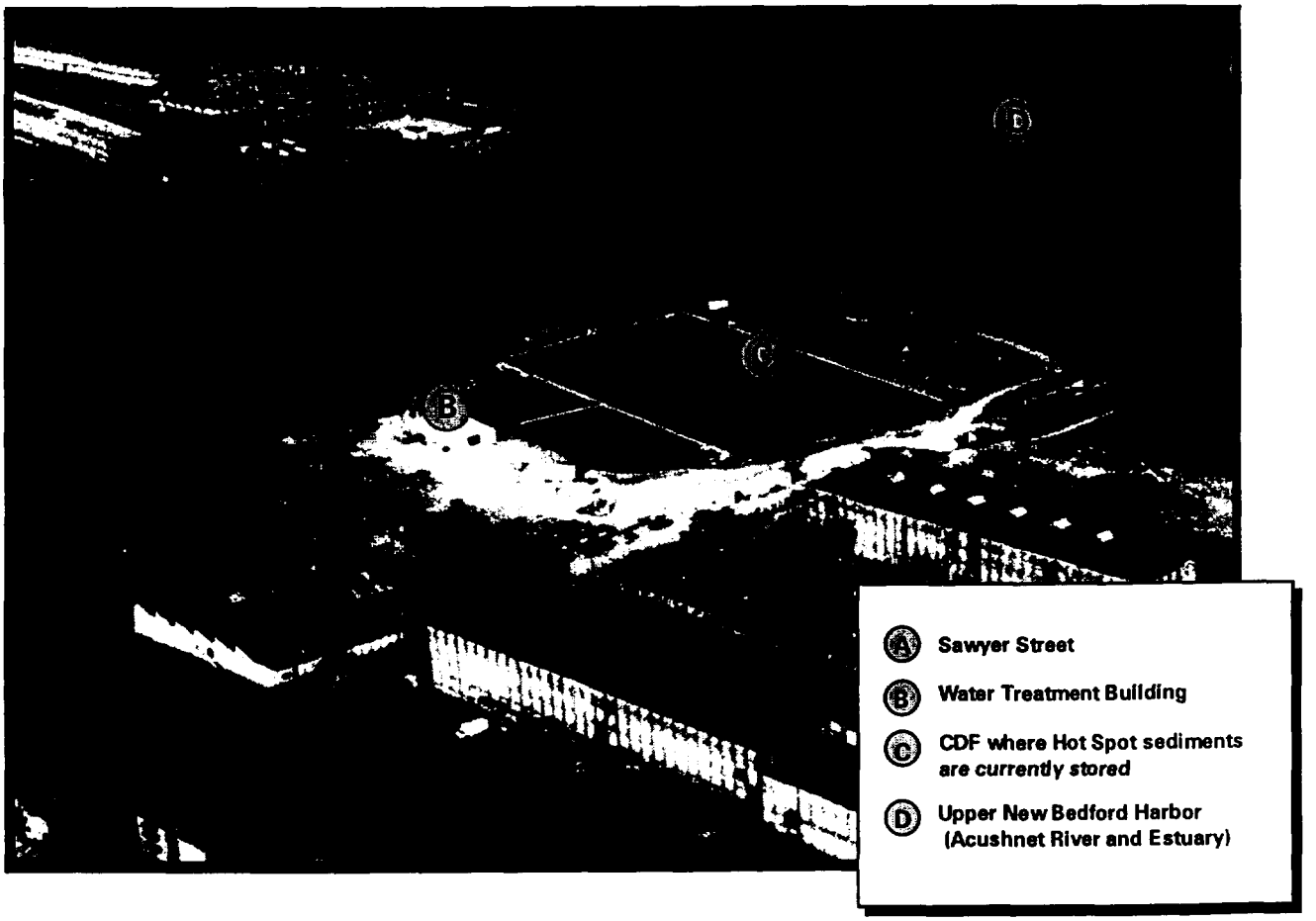
What Cleanup Has Occurred at the Site:

The original cleanup plan set forth in the 1990 Record of Decision (ROD), called for removing contaminated sediments from the Hot Spot area of the harbor, incinerating the sediments in an on-site treatment facility to destroy the contaminants, and storage of the treated sediments in a shoreline disposal facility.

In 1993, due to a congressionally supported reversal in public support for the incineration remedy at about the time the incinerator was being mobilized, EPA and the Massachusetts Department of Environmental Protection, agreed to terminate the incineration contract and begin studies of other possible options for treating the Hot Spot sediments. The New Bedford Harbor Superfund Site Community Forum was created in late 1993 to develop a consensus based cleanup plan to replace on-site incineration of the Hot Spot sediments.

During the 1994 and 1995 construction seasons, the approximately 15,000 cubic yards of Hot Spot sediments were removed from the harbor via hydraulic dredging and placed for interim storage in a Confined Disposal Facility (CDF), near the shoreline at the end of Sawyer Street (see aerial photograph below).

The CDF was originally constructed in 1988 as part of a pilot dredging and disposal study conducted by the EPA and the U.S. Army Corps of Engineers. The CDF was upgraded in 1993 to include a double high density polyethylene liner system in support of this initial Hot Spot dredging activity. In 1995, EPA prepared an Explanation of Significant Difference to the 1990 ROD to address the need for temporary storage of the Hot Spot sediment while studies of non-incineration treatment options were being completed.



Aerial photograph of the Sawyer Street location

A Closer Look at EPA's Proposed Changes...

EPA proposes to remove the Hot Spot sediments from the Confined Disposal Facility (CDF), mechanically dewater and transport them to an off-site, permitted, hazardous waste landfill. The landfill facility to be selected must meet the requirements of a secure chemical waste landfill as prescribed by the Toxic Substance Control Act (TSCA) regulations.

1. Upgrade Existing Site Facilities

Construct a series of access roads, treatment pads and buildings and upgrade site utilities to accommodate dewatering and other sediment handling activities.

2. Remove Sediment from the CDF

The sediments will be removed from the CDF and transported to the dewatering area in a sealed vessel and temporarily stored in a series of sealed roll-off containers, or sludge boxes. The sludge boxes are vented through carbon canisters to facilitate materials handling operations and prevent PCB emissions.

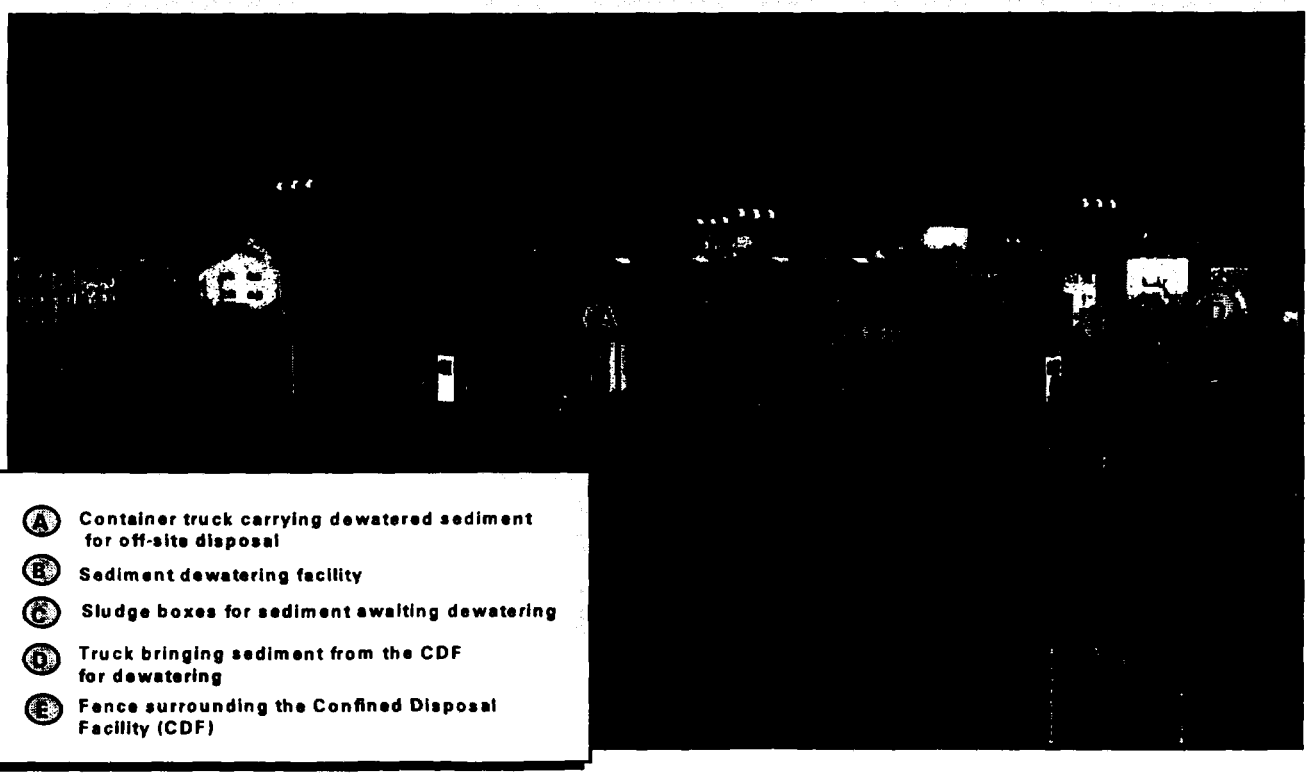
These features provide benefits which are primarily targeted towards reducing the potential for worker or community exposure to PCBs, including air emissions. A comprehensive ambient air monitoring program will be implemented during construction activities to ensure that the emissions control systems are effective at protecting the local community.

3. Sediment Dewatering and Water Treatment

From the sludge boxes, pump the sediments to the treatment area to be screened to remove oversize particles. The sediment will then be mechanically dewatered. The dewatering process will reduce the volume of contaminated sediment from 15,000 cubic yards (18,000 tons) to approximately 11,000 cubic yards (14,500 tons). Water removed from the sediments will be treated at the on-site water treatment facility and then discharged into the harbor.

4. Transport Off-site

Following dewatering, the sediments will be loaded into sealed roll-off containers (sludge boxes) for transport to a permitted off-site hazardous waste landfill. Approximately seven trucks per day, five days per week will enter and leave the site for a period of six months to a year.



(A) Container truck carrying dewatered sediment for off-site disposal
(B) Sediment dewatering facility
(C) Sludge boxes for sediment awaiting dewatering
(D) Truck bringing sediment from the CDF for dewatering
(E) Fence surrounding the Confined Disposal Facility (CDF)

New Bedford Harbor Community Forum

The New Bedford Harbor Community Forum was formed in 1993 to develop a consensus based cleanup plan to replace on-site incineration of the Hot Spot sediments (EPA's original cleanup plan). The Forum is widely representative of the community and includes representatives from area citizen groups including Hands Across the River Coalition, Downwind Coalition, Concerned Parents of Fairhaven; local business representatives; local and state elected officials from New Bedford, Fairhaven and Acushnet, US EPA, Massachusetts DEP and federal natural resource agencies.

In May 1996, the Forum formally stated a preference for the on-site destruction of PCBs using an innovative technology and members devoted a great deal of effort to evaluating many of the most promising new treatment technologies for use in potential cleanup plans for the Hot Spot sediments. However, after considerable discussions and public input received during Forum sponsored open public meetings, the Forum consensus was that the Hot Spot sediments should be dewatered on site and then transported to an off-site permitted hazardous waste landfill.

The Community Forum selected off-site landfilling based on particular concerns about the possibility for problems such as possible air emissions or other problems arising while implementing an on-site innovative treatment technology in such close proximity to a residential and business community and the general disruption that would result from 24-hour a day treatment operations. In addition, the off-site landfilling option is significantly faster and less costly than the other treatment alternatives evaluated.

What impacts would the proposed cleanup have on the local community?

The most observable impact to the local community will be associated with the actual construction activities. Construction noise and traffic will be limited to daytime hours, five days per week.

Following initial design and procurement activities, the site will be upgraded to accommodate dewatering and other sediment handling activities. Site upgrades will include constructing access roads, a building for dewatering and sediment loading and an upgrade of site utilities. These activities will take approximately six months to a year to complete. Removing the sediments from the CDF, dewatering activities and transporting the sediment off-site will take an additional six months to a year. The overall time to complete the cleanup using this alternative is approximately two years from the decision to implement the cleanup. With the exception of leaving the untreated material on site, no other alternative could be completed in less time.

Each alternative that involves removing the sediment from the CDF poses some risk of exposure to PCB emissions during the removal. The short term risks associated with removing the sediment from the CDF can be easily minimized using engineering controls and are relatively small in comparison with the potential long term risks associated with the alternatives that would leave the sediment in place. Off-site landfilling does not use hazardous chemicals or potentially dangerous conditions, such as high temperatures, to treat the material and therefore, does not pose the threat of exposure to potential treatment by-products such as dioxins or furans.

Why Does EPA Recommend this Proposed Plan?

The EPA performed a detailed evaluation of eleven possible cleanup plans for the Hot Spot sediment. The cleanup plan proposed herein, off-site landfilling (HS-6), is recommended because EPA believes it offers the best balance among the nine Superfund criteria, as detailed on pages 7 and 8, including the protection of human health and the environment.

Compliance with Federal and State regulations: The proposed cleanup plan complies with all Federal and State ARARs with only one waiver. The sediment dewatering component of the cleanup plan requires discharging treated water into the upper harbor. Section 402 of the Federal Clean Water Act prohibits new discharges into degraded waters. Each of the eleven cleanup alternatives evaluated would require a waiver of this provision of the Clean Water Act. This waiver is discussed in greater detail in the Additional Information Section (page 10) of this Proposed Plan. In addition, the Feasibility Study had also identified a second waiver which would be required to address a one-year storage limit for PCBs prior to permanent disposal, under TSCA regulations (40 C.F.R. 761.65). However, on 29 June 1998 new regulations were published, which become effective on 28 August 1998, which permit storage of PCBs beyond one year. Therefore, a waiver of this regulation will no longer be required for this remedy since the PCBs on the site will be removed within the allowed TSCA storage period.

Protects human health and the environment and will provide long-term protection and a permanent cleanup of the Hot Spot sediments: There will be no Hot Spot sediments remaining at the site after the cleanup is completed. Therefore, no risks to the health of the community or the harbor due to potential exposure to the Hot Spot sediments will remain.

Reduction in the mobility, toxicity or volume of contaminants: The proposed cleanup plan does not reduce the mobility or toxicity of contaminants. Although the National Contingency Plan states a preference for treatment, an evaluation of site conditions, such as proximity to urban communities, concluded that there were sufficient negative effects from operating treatment facilities at the site to warrant selecting off-site landfilling over on-site treatment. The required dewatering process will reduce the volume of contaminated sediments by 20% to 30%.

Short term protection and effectiveness: There are no significant short-term effectiveness concerns with the proposed cleanup plan. The potential exposure of site workers and area residents to contaminated sediments will be minimized by using safety plans that include air emission controls and a network of ambient air monitors to assess potential releases to the air during cleanup operations.

Time to reach cleanup goal: The proposed cleanup plan can be completed in two years. With the exception of the no-further action alternative, none of the other cleanup plans evaluated take less time.

The proposed cleanup plan can be easily implemented: The technology to complete the construction activities is routinely available. There are currently off-site chemical waste landfills available for disposal of the Hot Spot sediments.

The proposed cleanup plan is cost effective: The costs for the eleven cleanup plans evaluated range from $5.4 million to $48.5 million. The two cleanup alternatives at the low end of the range (HS-1 at $5.4 million and HS-5 at $10.3 million), are alternatives that do not treat or remove the Hot Spot sediments from the site. The proposed cleanup plan, of an estimated cost of $14.8 million, does not treat the sediments but does remove them from the site providing a higher level of protection than alternatives HS-1 and HS-5. The remaining eight cleanup alternatives are treatment alternatives ranging in costs from $19 million to $48.5 million. Since the proposed cleanup plan removes all the Hot Spot sediments from the site, there will be no risks from the Hot Spot sediments remaining once the cleanup is completed, therefore, a more costly treatment alternative will not provide more protection to the community or the harbor.

Community and State acceptance: The New Bedford Community Forum, supports this proposed cleanup plan. Of the eleven cleanup alternatives evaluated and considered by the Forum, this is the only alternative around which members could reach a consensus. See more about the Community Forum's role on page 5. As a participant in the Community Forum, the Commonwealth of Massachusetts, along with other Forum members, has been an active participant in developing and reviewing the alternatives presented herein. As a result, the Commonwealth has given its preliminary assessment of the various alternatives in the comparison chart on page 8. This by no means endorses any particular alternative and the Commonwealth will participate in the formal comment period. The information presented on page 8 is intended to supplement the readers' knowledge about the Commonwealth's initial assessment of each alternative. The Commonwealth supports this Proposed Plan, but does withhold final concurrence until a review of all public comments is complete.

The Nine Criteria for Choosing a Cleanup

EPA uses nine criteria to balance the pros and cons of cleanup alternatives. EPA has already evaluated how well each of the cleanup alternatives developed for the New Bedford Harbor Hot Spot sediment meets the first seven criteria (see table on page 8). EPA has worked closely with the Community Forum and the MADEP during the evaluation process. Their input regarding acceptance of the treatment alternatives is also included in the table on page 8. Once final comments from the state and the community are received, EPA will select the cleanup plan.

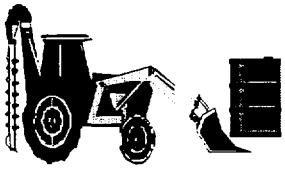
1. **Overall protection of human health and the environment:** Will it protect you and the plant and animal life on and near the site? EPA will not choose a plan that does not meet this basic criterion.
2. **Compliance with Applicable or Relevant and Appropriate Requirements (ARARs):** Does the alternative meet all federal and state environmental and facility siting statutes, regulations and requirements?
3. **Long-term effectiveness and permanence:** Will the effects of the cleanup plan last or could contamination cause future risk?
4. **Reduction of toxicity, mobility or volume through treatment:** Does the alternative reduce the harmful effects of the contaminants, the spread of contaminants, and the amount of contaminated material?
5. **Short-term effectiveness:** How soon will site risks be adequately reduced? Could the cleanup cause short-term hazards to workers, residents or the environment?
6. **Implementability:** Is the alternative technically feasible? Are the right goods and services (i.e. treatment machinery, space at an approved disposal facility) available for the plan?
7. **Cost:** What is the total cost of an alternative over time? EPA must find a plan that gives necessary protection for a reasonable cost.
8. **State acceptance:** Do state environmental agencies agree with EPA's proposal?
9. **Community acceptance**: What objections, suggestions or modifications does the public offer during the comment period?

Four Kinds of Cleanup

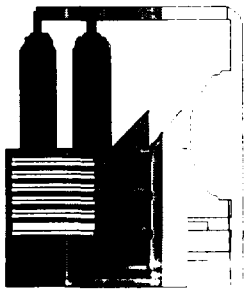
EPA generally looks at numerous technical approaches to determine the best way to clean up a Superfund site. The EPA then narrows the possibilities to approaches that would protect human health and the environment. Although site cleanups often involve combinations of highly technical processes, there are really only four basic approaches.

Take limited or no action: Leave the site as it is, or just restrict access and monitor it.

Contain contamination: Leave contamination where it is and cover or contain it in some way to prevent exposure to, or spread of, contaminants. This method reduces risks from exposure to contamination, but does not destroy or reduce it.



Move contamination off-site: Remove contaminated sediment and dispose of it or treat it elsewhere.



Treat contamination on site: Use a chemical or physical process on the site to destroy or remove the contaminants. Treated material can be left on site. Contaminants captured by the treatment process are disposed of or destroyed in an off-site hazardous waste facility.

Comparison of Hot Spot Sediment Cleanup Alternatives

	Limited Action	Treat Sediments On-Site							Containment	Move Sediments Off-Site	
Alternative:	HS-1	HS-2A	HS-2B	HS-2C	HS-3A	HS-3B	HS-3C	HS-4	HS-5	HS-6	HS-7
NRC Criteria	No Further Action	Solvent Extraction with Solid Phase Chemical Destruction	Solvent Extraction with Gas Phase Chemical Destruction	Solvent Extraction with Off-Site Incineration	Thermal Desorption with Solid Phase Chemical Destruction	Thermal Desorption with Gas Phase Chemical Destruction	Thermal Desorption with Off-Site Incineration	Vitrification (Pyrolysis)	In-Place Capping	* OFF-SITE LANDFILLING *	Off-Site Incineration
Protects human health and environment	✓	✔	✔	✔	✔	✔	✔	✔	✔	✓	✔
Meets or waives[a] federal and State requirements	✓	✔	✔	✔	✔	✔	✔	✔	✔	✓	✔
Provides long-term protection	✗	✔	✔	✔	✔	✔	✔	✔	✔	✓	✔
Reduces mobility, toxicity and volume	✗	✔	✔	✔	✔	✔	✔	✔	✓	✓	✔
Provides short-term protection	✔	✔	✔	✔	✔	✔	✔	✔	✔	✓	✔
Implementable (Can it be done?)	✔	✔	✔	✔	✔	✔	✔	✓	✔	✓	✔
Cost	$5.4 Million	$27.1 Million	$31.9 Million	$24.9 Million	$21.2 Million	$26.3 Million	$19.0 Million	$48.5 Million	$10.3 Million	$37.7 Million	$37.7 Million
State agency acceptance	✗	✔	✗	✔	✔	✗	✔	✗	✗	✓	✔
Community Acceptance	To be determined after the public comment period.										
Community Forum acceptance	✗	✗	✗	✗	✗	✗	✗	✗	✗	✓	✗
Time to reach cleanup goal	More than 100 years	5 years	5 years	4-5 years	5 years	5 years	4-5 years	5-6 years	More than 100 years	24 months	24 months

[a] Waiver applies to Clean Water Act discharge regulation. See page 10 for further information.

* **EPA's preferred alternative**
✓ **Partially meets criterion**
✔ **Meets or exceeds criterion**
✗ **Does NOT meet criterion**

Cleanup Alternatives for the New Bedford Harbor Hot Spot Sediment

The New Bedford Harbor Hot Spot Feasibility Study Addendum report reviews all of the options EPA considered for cleanup, as well as EPA's proposed cleanup plan. The options, referred to as "cleanup alternatives," are different combinations of plans to **restrict access to, contain, move,** or **treat** contamination to protect public health and the environment.

EPA developed eleven cleanup alternatives for the Hot Spot sediment currently stored in the CDF at the Sawyer Street location.

During the upcoming comment period, EPA welcomes your comments on the proposed cleanup plan as well as the other technical approaches EPA evaluated. These alternatives are summarized below. Please consult the New Bedford Harbor Hot Spot Feasibility Study Addendum (available from the information repositories given on page 11) for more detailed information.

Sediment Cleanup Alternatives

Limited or no further action

HS-1: ***No Further Action***
The Sawyer Street location would be operated and maintained as it is today. This includes maintenance of the CDF cover, the current institutional controls of fencing and periodic security checks. Implementation of a routine monitoring program to evaluate groundwater and air quality.

Treat contaminants on site

HS-2A: ***Solvent Extraction and Solid Phase Chemical Destruction***
Removal of the Hot Spot sediments from the CDF and separation of the PCBs and other organics through solvent action. The concentrated oily extract would subsequently be treated on-site with solid phase chemical dechlorination to destroy the PCBs. The final step involves placement of the treatment residuals within a shoreline CDF.

HS-2B: ***Solvent Extraction and Gas Phase Chemical Destruction***
Separation of the PCBs and other organics through solvent extraction as described for HS-2A. The concentrated oily extract would then be heated such that the waste would be transformed into a vapor and subsequently treated with an on-site gas phase reduction reactor to destroy the PCBs. The final step involves placement of the treatment residuals within a shoreline CDF.

HS-2C: Solvent Extraction and Off-Site Incineration
Separation of the PCBs and other organics through solvent extraction as described for HS-2A. The concentrated oily extract would then be transported off-site for incineration at a permitted TSCA facility to destroy the PCBs. The treatment residuals from the solvent extraction process would be redeposited within a shoreline CDF.

HS-3A: Thermal Desorption and Solid Phase Chemical Destruction
Removal of the Hot Spot sediments from the CDF followed by a mechanical dewatering step. The PCBs and other organics would be separated through thermal desorption. The concentrated oily extract generated by the thermal desorption process would subsequently be treated on-site with a solid phase chemical dechlorination agent to destroy the PCBs. The final step involves placement of the treatment residuals within a shoreline CDF.

HS-3B: Thermal Desorption and Gas Phase Chemical Destruction
Separation of the PCBs and other organics via thermal desorption as described for HS-3A. The separated contaminants would subsequently be destroyed on-site in a gas phase reduction unit. The treatment residuals would be redeposited within a shoreline CDF.

Cleanup Alternatives (Continued)

HS-3C: ***Thermal Desorption and Off-Site Incineration***

Separation of the PCBs and other organics via thermal desorption as described for HS-3A. The concentrated oily extract would be transported off-site for incineration at a permitted TSCA facility to destroy the PCBs. The treatment residuals from the thermal desorption process would be redeposited within a shoreline CDF.

HS-4: Staged Vitrification

Removal of the Hot Spot sediments from the CDF followed by a thermal dewatering step to significantly reduce the moisture content. The dried sediments would be placed within a portion of the CDF and treated through electrically generated high temperature melting (pyrolysis). The resulting product is an inert glass-like solid.

Contain contaminants

HS-5: In-Place Capping

Following in-place dewatering of the sediments with wick drains, the sediments would be capped in-place using a multiple layer impermeable cap. This alternative includes a significant long-term monitoring program for groundwater quality in the vicinity of the CDF and potential air releases.

Move contaminants off-site

HS-6: Off-site Landfilling

EPA's preferred alternative as described on page 6.

The alternative would involve removing the sediment from the CDF, followed by a mechanical dewatering step. Sediments are transported off-site to a permitted hazardous waste landfill.

HS-7: Off-site Incineration

Removal of the Hot Spot sediments from the CDF followed by a mechanical dewatering step. The sediments are then transported off-site for incineration in a permitted TSCA facility to destroy the PCBs.

Additional Information

In addition to comments about EPA's preferred alternative presented in this Proposed Plan, EPA is also soliciting specific public comment on the only ARAR waiver required for EPA's preferred alternative and on a method to achieve water quality standards in the harbor over time:

1. ARAR Waiver - National Pollutant Discharge Elimination System

Water discharges are regulated under state and federal water quality ARARs. Water treatment at the on-site treatment plant will be required for the dewatering discharges and may be required if surface run off becomes contaminated by the stored sediments. Operation of the water treatment plant requires a waiver of a provision of the National Pollutant Discharge Elimination System requirements of the federal Clean Water Act (CWA), Section 402. The provision prohibits new discharges into waters that do not meet applicable water quality criteria, unless certain conditions are met (40 CFR 122.4(I)). It is proposed that a protectiveness waiver under Section 121(d)(4)(B) of CERCLA be used for this ARAR since compliance would essentially prevent the cleanup of this Site and result in greater risk to human health and the environment than other alternatives. The issue is the result of the degraded water quality in the Harbor, where permitting any new discharge is not possible unless the Harbor's waters reach water quality standards or until the other conditions of the regulations are met. Neither of these conditions are likely to be accomplished in a reasonable time.

2. Method to Achieve Water Quality Standards

Because New Bedford Harbor water quality is so degraded as to preclude diluting any proposed discharge, Section 402 of the CWA requires that discharges meet ambient water quality criteria (WQC) at the discharge point. Except for copper, it is expected that the treatment facility can attain compliance with WQC during the remedial activities. Consistent with Section 303 of the CWA and its Total Maximum Daily Load (TMDL) approach, it is proposed that discharge limits for the water treatment plant be implemented that are below current background levels of copper, but above WQC. This approach allows for attainment of ambient WQC throughout the waterbody in a phased or step-wise approach. The copper that will be discharged from the treatment plant will be more than off set by the permanent removal of copper contaminated sediments from the Harbor.

What's a Formal Comment?

During the 30-day formal comment period, EPA will accept formal written comments and hold a hearing to accept formal verbal comments. EPA uses public comments to improve the cleanup proposal.

To make a **formal** comment you need only speak during the public hearing on September 16, 1998 or submit a written comment during the comment period.

Federal regulations require EPA to distinguish between "formal" and "informal" comments. While EPA uses your comments throughout site investigation and cleanup, EPA is **required to respond to formal comments in writing only.** EPA will not respond to your comments during the formal hearing on September 16. The fact that EPA responds to formal comments in writing only does not mean that EPA cannot answer questions. EPA will be available to answer informal questions at the August 26, 1998 information session. EPA will also be available to answer informal questions during the poster board viewing times before the informational session and before the public hearing.

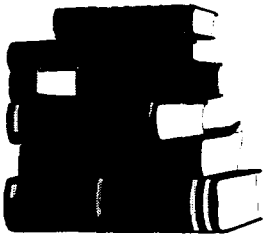
EPA will review the transcript of all formal comments received at the hearing, and all written comments received during the formal comment period, before making a final cleanup decision. EPA will then prepare a written response to all the formal written and oral comments received.

Your formal comment will become part of the official public record. The transcript of comments and EPA's written responses will be issued in a document called a Responsiveness Summary when EPA releases the final cleanup decision.

For More Detailed Information

To help the public understand and comment on the proposal for the site, this publication summarizes a number of reports and studies. All of the technical and public information publications prepared to date for the site are available at the at these New Bedford Harbor site information repositories:

Wilks Branch Library
1911 Acushnet Avenue
New Bedford, MA 02745
phone: (508) 991-6214
Hours: M, W, F, Sat: 9 a.m. - 5 p.m.
Tues. & Thurs: 12 noon - 8 p.m.



EPA Records Center
90 Canal Street
Boston, MA 02114
phone: (617) 573-5729
Hours: 10:00 a.m. -noon
2:00 p.m. - 5:00 p.m.

The Records Center is closed the first Friday of each month.

Use This Space to Write Your Comments or to be added to the mailing list

EPA wants your written comments on the options under consideration for dealing with the Hot Spot Sediment at the New Bedford Harbor Superfund site. You can use the form below to send written comments. If you have questions about how to comment, please call EPA Community Involvement Coordinator, Angela Bonarrigo at (617) 565-2501. This form is provided for your convenience. Please mail this form or additional sheets of written comments, postmarked no later than September 25, 1998 to:

Mr. James Brown
Remedial Project Manager
U.S. Environmental Protection Agency
Region I, (HBO)
JFK Federal Building
Boston, MA 02203 - 0001

or E-Mail to
Brown.Jim @epamail.epa.gov

(Attach sheets as needed)

Comment Submitted by:_____

Mailing list additions, deletions or changes to the New Bedford site list

If you did not receive this through the mail and would like to:

- ☐ **be added to the site mailing list**
- ☐ **note a change of address**
- ☐ **be deleted from the mailing list**

Name :_____
Address:_____
_____
_____

please check the appropriate box and fill in the correct address information above.

New Bedford Harbor Superfund Site
Hot Spot Sediment
Public Comment Sheet (cont....)

Fold, staple, stamp, and mail----------

Place
Stamp
Here

Mr. James Brown
Remedial Project Manager
U.S. Environmental Protection Agency
Region I (HBO)
JFK Federal Building
Boston, MA 02203 -0001